The PRESIDENT explained that as the subject had been discussed at great length in the Assembly on many an occasion in the past and as the bill was framed on the basis of the Government Order of 1935 which had been published in the Gazette, it was thought unnecessary to supply copies of the bill to the members, and that it would take some time to print and supply copies at that stage.

Mr. D. S. MALLAPPA said that in that case the consideration of the general principles of the bill might be put off till the next session.

Mr. K. CHENGALARAYA REDDY also suggested the desirability of making copies of the bill available to the members before the discussion on it was taken up.

The PRESIDENT observed that as it was not desirable to postpone the consideration of the measure till the next session, Government would make every possible attempt to supply members with copies of the bill, if possible in a day or two, and that it might be taken up for discussion on the 30th.

This was agreed to by the House.

REPRESENTATIONS.

No. 4.—Refund of the original fees paid by a *hissedar* in case of incorrect measurement being discovered at a subsequent measurement.

Messrs. K. RAMANNA, Hole-Narsipur Taluk; and **NARASIMHAIYA,** Hole-Narsipur Municipality.

Mr. K. RAMANNA represented that after the completion of the final record of rights work, if a hissedar of a land be not satisfied with the original measurement and wished to have the land re-measured, he had to pay a fee of Rs. 3, Rs. 5 or Rs. 15 according as the re-measuring was required to be taken up by the Surveyor, Supervisor or District Survey Officer. In a case where the final authority, *viz.*, the District Survey Officer, declared the original measurement to be wrong, the hissedar would have paid Rs. 23 by way of re-measuring fees in getting a mistake committed by the departmental officer set right. As this was an unjust levy, he prayed that in such cases, the Government might be pleased to order a refund of the fees to the hissedar concerned.

The PRESIDENT enquired whether the parties were not getting a refund of the fees in such cases.

Mr. K. RAMANNA replied in the negative.

The PRESIDENT observed that the request seemed reasonable and that Government would consider it sympathetically.

No. 5.—Boundary marks to be required to be put up at the time of measurement of *hissas*.

Messrs. K. RAMANNA, Hole-Narsipur Taluk; and **NARASIMHAIYA,** Hole-Narsipur Municipality.

Mr. K. RAMANNA prayed that orders be passed making it obligatory to put up boundary stones to indicate the particular *hissa* of land at the time of measurement of the land by the surveyor under the record of rights scheme in accordance with a previously laid out programme, and the said order enforced rigidly. He also suggested that the surveyor's programme should be notified to the hissedars in advance by beat of tom-tom.

The PRESIDENT explained that the existing rules required the Survey Department only to measure and map the *hissas* and there was no obligation on its part to fix boundary stones. The suggestion made by the member did not seem to be feasible since there would be several *hissas* in a survey number and it would involve time, expense and trouble on the department to fix the boundary for every *hissa*.

Mr. K. RAMANNA replied that it was not his intention that the department itself should fix the stones at its cost and that if the surveyor's programme be notified to the hissedars in advance, they would themselves get ready with the stones which might be got fixed by the surveyor immediately the measurement was recorded.

Mr. Yajaman N. Y. VEERABHADRACHAR supported the representation.

The PRESIDENT observed that there might be no objection to the hissedar himself fixing the stones in the presence of the surveyor but the trouble lay in that the parties would not turn up at the time of the measurement. He

added that the department would have no difficulty in notifying the date of the measurement in the villages concerned as requested.

Mr. B. SIDDALINGA SETTY represented that if only a few of the hissedars should turn up at the time of the measurement and get the measurements recorded without fixing the boundary stones, it might lead to disputes with the other hissedars. That could be obviated by the surveyor fixing the stones then and there instead of leaving that to be done by the hissedars at their own expense.

The COMMISSIONER for SETTLEMENT and LAND RECORDS (Mr. K. V. Anantaraman) replied that if the department should fix the boundary marks, the hissedars should supply the necessary stones or pay the cost thereof.

Mr. MEER MOHAMED SAHIB, in supporting Mr. Siddalinga Setty, added that since the Survey Department was recovering from the raiyats the phoding charges and there was also some saving under that head, the department might fix the stones at its own cost. If the department should grudge to do that, the raiyats would feel that they were not receiving an adequate return for the fees paid by them under the record of rights scheme.

Mr. K. V. ANANTARAMAN pointed out that the fee paid by the hissedar was intended to cover the phoding charges and for keeping a record of all the *hissas* in each survey number and that it was not an obligatory duty of the department to fix boundary stones.

The PRESIDENT observed that the question of fixing boundary marks had been discussed very often and that it had been decided that it was unnecessary for the department to fix the marks. Because, there would be maps for each survey number and the details of each *hissa* would be marked therein and the parties could get copies thereof on payment of the usual fee. All the same, the Survey Department would be prepared to afford the necessary help to the hissedars for fixing up the boundary stones provided they would keep the stones ready. It would be too costly for the department itself to do it and hence the suggestion was not practicable.

Mr. VEERASANJEEVA GOWDA suggested that arrangements be made to ensure the presence of all the hissedars at the time of phoding.

Mr. K. RAMANNA added that the programme should be notified in the village *chavdies* in addition to being broadcasted by tom-tom.

At this stage, **the PRESIDENT** read out to the House the rules on the subject and explained that all the suggestions made by the members in the matter of notifying the surveyor's programme, etc., to the hissedars were already contained in the rules. He added, however, that circular instructions would be issued to the department to give effect to them.

No. 6.—Relieving the difficulties of raiyats in giving effect to the Record of Rights Scheme.

Mr. S. VENKATASWAMI GOWDA, Malur Taluk.

Mr. S. VENKATASWAMI GOWDA prayed that in cases in which fees for hissa phoding had already been recovered, further recovery of fees in the event of the *hissas* being sold, mortgaged or leased out need not be insisted upon.

The COMMISSIONER for SETTLEMENT and LAND RECORDS (Mr. K. V. Anantaraman) explained that the recording of such transactions involved labour by way of issuing notices to all the parties concerned in the transaction, and a mutation fee of 8 annas was recovered for that purpose. The hissa fee was utilised to meet the cost of phoding and there was no saving under that head to cover the mutation charges.

Mr. K. RAMANNA pointed out that there was no extra cost involved in serving notices since this work would be got done through the village officers and that therefore there was no justification in levying a separate mutation fee.

Mr. K. V. ANANTARAMAN pointed out that a separate mutation register had to be maintained, that for every entry made in it, 4 notices would have to issue, which would involve additional labour not only on the village officer

who acted for the Government in the matter but also on the taluk office.

Mr. S. VENKATASWAMI GOWDA then suggested that at least the question of reducing the existing rate of 8 annas might be considered.

The PRESIDENT said that the suggestion would be noted.

Mr. T. NARAYANA REDDY stated that in the neighbouring province of Madras, the raiyats were not required to pay any phoding charges at all, whereas in Mysore, under the record of rights scheme, such charges were being levied. In every case of sale or mortgage of land, in which the parties were paying the necessary stamp duty and registration fee, there was no justification in levying an extra fee of 8 annas merely for making an entry in the mutation register. That was after all a legitimate duty of the department under the Record of Rights Regulation.

Messrs. K. M. KRISHNAPPA GOWDA, T. MARIYAPPA and **Tudki RAMANNA GOWDA** added that there would be no additional work for the department, in cases where both the parties agreed about the transaction, beyond making an entry in the register. As regards cases where there were disputes, in which enquiries would have to be made, the members suggested that a small fee of 4 annas might be levied, if absolutely necessary. In any case, there was no justification for the existing levy of 8 annas in all cases invariably.

Mr. K. V. ANANTARAMAN said that from experience it was found that in 90 per cent of the cases the parties failed to furnish full particulars (survey numbers, etc.) in the petitions and that unless notices were served, the cases could not be disposed of satisfactorily. So, he said, notices had to issue in all cases as a rule.

Mr. JATHARE NAIK was of opinion that the existing rate of mutation fee could not be considered as heavy in view of the security provided to the raiyats by means of the mutation register. Seeing that Government were already helping the raiyats in several ways, they had to be provided with funds to run the administration. He therefore opposed the proposal for abolition or reduction of the fee.

The PRESIDENT explained that there was a definite advantage derived by the parties in getting a record made in the mutation register, for which they ought to pay a separate fee, as in the case of the registration of a document. He however added that the question would be examined from the point of view of its financial implications and the request for reducing the rate duly considered.

Mr. S. C. MALLIAH next brought to notice that for every petition presented by the raiyats under the record of rights scheme, a stamp duty of 12 annas was being insisted upon. As this was an unjust levy, he suggested its reduction to one anna as in the case of ordinary petitions.

The PRESIDENT observed that that was a different matter altogether but added that the request would be noted.

No. 7.—Classification of and fixing of permanent assessment on lands below the Bhadra channel.

Mr. V. V. IYER, Shimoga Taluk.

Mr. V. V. IYER represented that a flat water-rate of Rs. 6 per acre was being levied on all lands under the Bhadra channel. The area included several acres of uncultivable land. The flat rate worked as a hardship on the raiyats. Lands which were once worth Rs. 500 to Rs. 600 an acre could not fetch more than Rs. 30 or Rs. 40 and even at that rate the demand was limited. This would be evident from the fact that no applications had been received by the Government in response to the notification calling for darkhast applications for lands in that area. On account of the prevailing uninterrupted economic depression, even the price of cattle had fallen very low. There were neither marketing nor transport facilities in the area. The matter was being pressed on the attention of the Government for some time past and the speaker understood that the Revenue Commissioner had also sent up suitable recommendations thereon to the Government. In view of those considerations, he prayed that the Government should classify the lands under different

heads and fix the assessment separately for each block instead of continuing the existing flat rate.

The REVENUE COMMISSIONER (Mr. K. V. Anantaraman) explained that the question had already been investigated by the department and it was found that the lands assessed to water-rate in the area included every variety of land, irrigable and non-irrigable. So, a survey of the area was being made in order to classify the lands under different grades. The work might take some time to complete and the question of fixing the wet assessment in place of the existing water-rate would be taken up thereafter. The matter had been fully dealt with by Government in their Order of 9th October 1936. He added that the Deputy Commissioners of Districts were themselves empowered to remit water-rate on unirrigable portions and assured the House that all deserving cases would receive due consideration.

No. 8.—Levy of wet assessment on lands under the Krishnarajasagara Low Level Channel.

Messrs. K. M. KRISHNAPPA GOWDA, Nagamangala Taluk; **T. MARIYAPPA,** Mysore City Municipality; **B. CHAMIAH,** Seringapatam Taluk; **B. S. PUTTASWAMY,** Nanjangud Taluk; and **SIVANANJE GOWDA,** Mysore Taluk.

Mr. K. M. KRISHNAPPA GOWDA prayed that the Government Order sanctioning the levy of wet assessment on lands under the Krishnarajasagara Low Level Channel, which were cultivated with wet crops successively for five years, be brought into force without further delay.

In supporting the representation, **Mr. P. SITHARAMIAH** explained that the conditions under the low level channel were the same as in the Krishnarajasagara area as water was being supplied regularly since 1918 or 1920. But from the commencement a water-rate of Rs. 10 per acre was being levied in that area, whereas the average rate of wet assessment in the Krishnarajasagara area was only Rs. 7-8-0. So far as the former was concerned, he knew that in certain cases the water-rate *plus* dry assessment worked out to Rs. 13 and odd per acre. Moreover, the lands under the low level channel were formerly dry lands with uncultivated waste in certain portions. Hence the water supplied for a plot of 10 acres would suffice only for 8 acres, resulting in 2 acres being left uncultivated. All the same a flat water-rate was recovered on each of the 10 acres and it resulted in great hardship to the raiyats concerned.

Proceeding, the speaker represented that in view of the several sub-divisions of land under the low level channel, the Deputy Commissioner had sent up recommendations to Government for reduction of the existing rates. The raiyats also had sent up appeals to them. But those appeals had been dismissed by the Government on the ground that the Irrigation Department had supplied water regularly. If the existing conditions continued, he was afraid that some of the raiyats would be forced to relinquish their lands.

Seeing that the lands had been recognised as wet, he said that there should be no difficulty in levying wet assessment and he did not see any reason why the Government should go against the rules and recover water-rate, especially when it worked as a hardship on the raiyats.

The PRESIDENT explained that according to the information available the conversion of water-rate as part of the wet assessment would be favourable only to some and unfavourable to many.

Mr. P. SITHARAMIAH replied that it was sure to benefit all, as the wet assessment would be less than consolidated dry assessment *plus* water-rate. Besides, there were several *banjar* lands and if they were classified on the basis of yield, he was sure that the new rate would not work out beyond Rs. 7-8-0 an acre. Thus, water-rate was unfavourable to most of the raiyats. After the classification, the Government would be free to levy enhanced rates in the case of more fertile lands. There was a decided advantage in the proposal in that the Government would not be losing revenue while the hard-hit raiyats would stand to benefit.

Mr. S. THIMME GOWDA explained that the lands under the low level channel were mostly lands given in exchange for those submerged under the Krishnarajasagara reservoir. For the preceding 18 years the raiyats had been paying about Rs. 13-10-0 per acre as water-rate and dry assessment. The department was also charging an additional fee of Re. 1 or Rs. 1-8-0 for hot weather supply of water for raising manurial crops. Thus, the total levy amounted to Rs. 14 an acre as against Rs. 8 which they had been paying on the lands originally owned by them, which were really more fertile. For these reasons, he prayed that the water-rate be abolished and wet assessment levied instead.

No. 9.—Remission of wet assessment in respect of lands under the *atchkat* of tanks which are silted up, and recovery of dry assessment only.

Messrs. M. S. PUTTARAMA SETTY and H. GANGAPPA, Magadi Taluk; S. KARIAPPA, M. LINGE GOWDA and Gurukar VENKATARAMANE GOWDA, Kankanhalli Taluk; T. MADIAH GOWDA and V. VENKATAPPA, Channapatna Taluk; R. DASAPPA and K. RUDRAPPA, Devanhalli Taluk; VEERASANJEEVA GOWDA and M. B. GURULINGIAH, Closepet Taluk; VEERE GOWDA, Dodballapur Taluk; S. SHARABHANNA, Anekal Taluk; J. V. CHENNAPPA and GURUSWAMI GOWDA, Hoskote Taluk; B. M. MUNISWAMAPPA, Bangalore Taluk; S. T. MALLASETTAPPA, Nelamangala Taluk; B. L. BYANNA, Bangalore City Municipality; A. M. VENKATASAMIA, Closepet Municipality; S. G. SANKARAIAH, Dodballapur Municipality; Shroff RANGASWAMI CHETTY, Magadi Municipality; Yejaman CHANNAPPA, Devanhalli Municipality; R. RANGAIYA, Channapatna Municipality; K. Y. T. VENKATACHALIAH, Kankanhalli Municipality; T. L. GANGOJI RAO, B. C. RANGAPPA, M. ABDUL JABBAR, S. MUNIVENKATAPPA and M. ABBOY, Minorities; and Mogenhalli SIDDE GOWDA, Special Interests.

Mr. M. S. PUTTARAMA SETTY represented that many tanks had silted up and did not retain water. Consequently, neither wet nor dry crops could be raised in the lands under the *atchkat* of those tanks. Those lands were lying fallow. If the tanks were repaired and enabled to retain water so that wet crops could be raised under them, then, the levy of wet assessment in respect of those lands would be justifiable. It was very unjust to recover wet assessment in respect of lands on which wet crops could not be raised and which were lying fallow. He therefore prayed that wet assessment be remitted in respect of such lands.

He then referred to his own taluk of Magadi and said that there were 125 to 130 tanks in it, all of which were silted up and they could not retain any water. To add to it, there were unfortunately no rains in the area. It was therefore necessary to reduce the *atchkat* with reference to the actual capacity of the tank. In case the Government were unable to repair the tanks, he suggested the selling away of the tanks to wealthy raiyats who might be trusted to keep them in good working order. Raiyats in Magadi Taluk had paid heavy contributions for the restoration of the tanks and if those amounts had been funded together by the raiyats instead of being paid to Government they could have met the assessment from the interest accruing thereon.

Mr. T. MARIYAPPA said that the grievance was common to all the taluks of the State and not merely to a few. Though the tanks had silted up, the *atchkat* had not been reduced. On the other hand, in certain cases, it had been increased. It was high time that the Government enunciated their policy and fixed the *atchkat* according to the capacity of each tank and the rainfall in the area.

The speaker next suggested the appointment of a committee to examine the question of re-fixing the *atchkat* of each tank and for framing separate rules for different tracts.

Mr. L. VEMA REDDY, in supporting the representation, said that the capacity of the tanks had gone below 50 per cent of the original level, owing to silt accumulation. Originally, if the tank once filled, the water would suffice for two or three crops; but latterly the tank had to fill twice or thrice for supplying water sufficient for one single crop. He therefore suggested that either the *atchkat* should be reduced with reference to the capacity of the

tank or the level of the waste weir raised.

Mr. VEERASANJEEVA GOWDA suggested the following remedies with a view to giving relief to the raiyats: (1) preparation of a list of unrestored tanks and restoration of tanks at a cost of at least Rs. 10 lakhs per annum, in view of the reduction of subsidy to that extent; (2) remission of wet assessment under all unrestored tanks; and (3) immediate removal of silt in all urgent cases. If these steps were not taken up immediately, the economic position of the raiyats would go still worse.

Mr. H. GURUSWAMI' GOWDA represented that wet cultivation had been costing the raiyat about Rs. 20 an acre and in the event of failure of crops, he would be given at the most a remission of about Rs. 3-8-0 which would not go far enough to relieve him. He therefore thought that no wet assessment should be levied at all under unrestored tanks and in cases in which dry crops were raised, dry assessment alone should be levied.

Mr. K. M. KRISHNAPPA GOWDA, in supporting the points raised by Mr. Mariyappa, added that the public works department was not paying any attention to the repairs of the old tanks in spite of several complaints. They were concentrating all attention on new tanks. So far as the minor tanks went, neither the Revenue Department nor the Public Works Department was attending to their repairs. Referring to the Sulekere tank in Nagamangala Taluk he said that both the Second Member and the Chief Engineer had inspected it, and still no action had been taken so far to repair it.

The CHIEF ENGINEER (Diwan Bahadur N. N. Ayyangar) explained that Mysore was rich in a net-work of tanks, most of them built in the olden days. They were one below the other in series. One tank above was the source of supply to another below, and so on. The silting up of tanks below in course of time was also unavoidable. At present, however, silting had not gone beyond the level of the sluice, excepting probably in a small number of tanks. Removing silt would cost several lakhs of rupees and thus it was out of the question. The only alternative was to raise the level of the waste weir. But even that would result in the submersion of some valuable lands and heavy compensation would have to be given. Those were the difficulties in the way of the department taking any action. All things considered, the next best thing for the raiyats to do was to make a more economical use of the available water. The suggestion of the members that the *atchkat* under tanks should be reduced could not be accepted.

Referring to the statement made by the Chief Engineer that water should be used economically, **Mr. H. M. CHANNABASAPPA** enquired how such a thing would be possible when its use could be regulated only by the active co-operation of the revenue authorities with the local raiyats. So long as that co-operation was lacking, it was no good thinking of economy. As matters stood, complaints made in the matter were being enquired into after the harvest was over. The storage of water was very limited already and owing to the indifference of the department both the Government and the raiyats were put to loss. This could be remedied only by the Government framing a definite policy. To start with, a survey of silted up tanks should be made and if their repair was out of the question, such tanks should be removed from the list and complete remission of arrears of assessment granted in respect of *atchkats* under those tanks. Also, in cases where the raiyats themselves had carried out repairs at their own cost, it was reasonable that Government should grant them remissions.

Referring to the various suggestions made by the members, **the REVENUE COMMISSIONER (Mr. K. V. Anantaraman)** said that the difficulties complained of were not unknown to Government. They had been constantly examining the question and giving the necessary relief. Under the existing orders, if the water available in a tank was not adequate for all the lands under the *atchkat*, there was provision for the conversion of a portion of it

from wet to dry. Such a step had been sanctioned recently by Government under the Hoskote Tank. Applications were being received and also sanctioned by Government. Remissions were also granted in deserving cases.

Proceeding, **Mr. ANANTARAMAN** said that it was not true to say that officers were not inspecting the tanks. Such inspections were being done according to a well-regulated programme by the officers of both the Revenue and the Public Works Departments and reports embodying the results of inspections were being submitted periodically to Government.

In conclusion, **Mr. ANANTARAMAN** assured the House that the existing rules provided for all the classes of cases referred to and that even cases not covered by the rules might be taken to the notice of the department and necessary relief obtained.

Mr. L. VEMA REDDY said that he was not prepared to support the charge levelled against the revenue officers by one of the previous speakers in the matter of inspection of tanks. So far as Kolar District was concerned, he could bear testimony to the fact that both the revenue and the engineering officers had been evincing keen interest in recent years in the matter of inspection of tanks.

Mr. N. Y. VEERABHADRACHAR said that though the reply given by the Revenue Commissioner went to show that the existing rules provided for meeting all cases, he had not known of any year in which any remission had been given in the Nagamangala Taluk. The Sulekere tank in his taluk which was in utter disrepair had not been inspected by any officers for years together. Recently the Chief Engineer had inspected it, but no action seemed to have been taken so far as a result of that inspection.

No. 10.—Abolition of wet assessment on lands that are below tanks in disrepair.

Mr. Patel CHANNAVEERAPPA, Honnali Taluk.

Mr. V. V. IYER represented that as many of the tanks in the malnad were in a state of utter disrepair, they did not retain sufficient water for irrigating the lands below them, so that only dry crops could be raised thereon. All the same, wet assessment was being levied invariably on such lands. In Shimoga District particularly, the tanks were not getting full supply of water on account of scanty rainfall. Some time previously, the people of Shiralkoppa had prayed for the grant of remission and there were some disturbances also in that connection. The Deputy Commissioner toured the area, and after investigation of the conditions there, expressed the view that the raiyats did not stand to get any benefit by the grant of mere remission unless the revenue policy itself was changed. For these reasons, the speaker prayed that wet assessment on lands below such tanks be remitted.

Mr. K. L. NANJAPPA NADIG represented that Government might prepare a list of all lands under tanks which were not getting sufficient supply of water for the growing of wet crops and give remissions in all such cases.

Mr. H. KRISHNAMURTHY ACHAR said that as it was not possible to raise any sort of crop, whether wet or dry, under breached tanks, the mere remission of wet assessment would not give any relief to the raiyats.

Mr. S. C. MALLIAH suggested that where only dry crops were raised on wet lands for want of sufficient water supply, only dry rates of assessment should be levied.

The REVENUE COMMISSIONER (Mr. K. V. Anantaraman) said that in such cases it was open to the *atchkatdars* to get such lands converted into dry by making representations to the authorities concerned.

Mr. S. C. MALLIAH feared that once a land was converted into dry, it would not be permissible to raise wet crops on it when that was possible.

The CHIEF SECRETARY to GOVERNMENT (Mr. B. T. Kesavaiengar) said that it would not be possible for the Government to levy dry assessment in the particular years during which the raiyats raised dry crops and wet assessment whenever they

raised wet crops, as such a procedure would dislocate the entire revenue system.

The PRESIDENT observed that in the Tank Panchayet and the Irrigation Regulations there were provisions to reduce the *atchkat* of a tank if the *atchkatdars* represented that they were not getting water for their lands. The raiyats could seek relief under those provisions wherever water supply fell short of the requirements of the *atchkat* lands. Government were guided by a certain policy in the matter of assessments and according to that, Government could not accede to the request made in the representation.

No. 11.—Conversion of dry lands into wet on payment of the temporary water-rate successively for five years.

Messrs. GANGIAH, Nelamangala Taluk; **S. KARIAPPA, M. LINGE GOWDA** and **Gurukar VENKATARAMANE GOWDA**, Kankanhalli Taluk; **T. MADIAH GOWDA** and **V. VENKATAPPA**, Channapatna Taluk; **R. DASAPPA** and **K. RUDRAPPA**, Devanahalli Taluk; **VEERASANJEEVA GOWDA** and **M. B. GURULINGIAH**, Closepet Taluk; **VEERE GOWDA**, Dodballapur Taluk; **H. GANGAPPA**, Magadi Taluk; **S. SHARABHANNA**, Anekal Taluk; **J. V. CHANNAPPA** and **GURUSWAMI GOWDA**, Hoskote Taluk; **B. M. MUNISWAMAPPA**, Bangalore Taluk; **S. T. MALLASETTAPPA**, Nelamangala Taluk; **B. L. BYANNA**, Bangalore City Municipality; **A. M. VENKATASAMIAH**, Closepet Municipality; **S. G. SANKARAIAH**, Dodballapur Municipality; **Shroff RANGASWAMI CHETTY**, Magadi Municipality; **Yejaman CHANNAPPA**, Devanahalli Municipality; **R. RANGAIYA**, Channapatna Municipality; **K. Y. T. VENKATACHALIAH**, Kankanhalli Municipality; **T. L. GANGOJI RAO, B. C. RANGAPPA, M. ABDUL JABBAR, S. MUNIVENKATAPPA** and **M. ABBOY**, Minorities; and **Mogenhalli SIDDE GOWDA**, Special Interests.

Mr. GANGIAH represented that dry lands under tanks were being charged, throughout the State, with a temporary water-rate when tank water was taken for raising wet crops thereon. After the water-rate was paid successively for five years by the landholders, the Survey Department was expected to assess such lands with wet assessment. At present, many raiyats had been paying heavy temporary assessment for many years past, but wet assessment had not yet been fixed. He prayed that such lands be ordered to be classified as wet without further delay.

Mr. M. S. PUTTARAMA SETTY said that in cases where the raiyats continued to use water after the fifth year, they were being very heavily fined by the authorities concerned. If water was used successively for five years, he did not know why the lands should not be classified as wet and only wet assessment levied after that period.

The PRESIDENT replied that Rule 33 of the Land Revenue Rules provided that if during five successive years there was no complaint from the *atchkatdars*, and if the holder of the land to which the temporary *nirsardi* had been granted applied for the supply of water being made permanent, steps should be taken to convert such lands into wet or garden, as the case might be, in consultation with the Land Records Department and a permanent assessment fixed.

Mr. M. S. PUTTARAMA SETTY pointed out that the raiyats were not deriving the full benefit of that rule.

The PRESIDENT replied that action would be taken to strictly enforce the rule.

Shroff RANGASWAMY CHETTY supported the representation.

ONE MEMBER said that without the consent of the other *atchkatdars*, permanent supply of water should not be assured to the holder of the land to which temporary *nirsardi* was granted.

Mr. P. SITHARAMAIYA said that even if effect was given to the representation, the raiyat would not stand to benefit. The levy of temporary water-rate, he thought, was advantageous to the raiyats in cases where there were no dependable sources of water supply, since they would not have to pay the water-rate in particular years when they did not need water from the tank concerned. In such cases, if permanent wet assessment was levied, the raiyats would be put to great hardship since, in that case, they would have to pay such assessment throughout. Further, if once the lands were converted into wet, remission rules would have to apply to such lands and Government also would have to forego revenue

on that account. For these reasons, he thought that the levy of permanent wet rates, after a period of five years, need not be made a general rule applicable to all cases. He had no objection to the levy of permanent wet rate in cases where the only source of water was the tank.

Messrs. H. C. Mummadi VEERABHADRAPPA and **K. P. CHANNABASAVIAH** represented that the rule providing for the levy of wet assessment after a period of five years might be enforced in the case of lands under the Boranakanive Tank, Chiknaikanhalli Taluk. They pointed out that at present the raiyats there were paying very heavy fines for using water temporarily after the fifth year.

Mr. Bagamane DEVA GOWDA was also of the view that the rule should not be made applicable generally to all lands and that special cases might be considered sympathetically if thereby the *atchkatdars* were not going to be affected.

The PRESIDENT said that the rule had been revised only recently and if it was given effect to sympathetically, no hardship would be caused to anybody.

No. 12.—Grant of remission in Nagamangala Taluk.

Messrs. K. M. KRISHNAPPA GOWDA, Nagamangala Taluk; **T. MARIYAPPA,** Mysore City Municipality; **B. CHAMIAH,** Seringapatam Taluk; **B. S. PUTTASWAMY,** Nanjangud Taluk; and **SIVANANJE GOWDA,** Mysore Taluk.

Mr. K. M. KRISHNAPPA GOWDA represented that the raiyats were not getting the full benefit of the remission rules. With a view to show a high percentage of collections, the revenue officers were collecting the full assessment due, even in cases in which remissions had been. Once the assessment was paid, the raiyats could not get a refund for years thereafter. For these reasons he represented that at the time of the *jamabandi* itself, collection of revenue might be ordered to be suspended pending the settlement of the question of remission.

The PRESIDENT observed that the rules already provided for suspension of revenue in cases where recommendations for remissions had been made, and that, if found necessary, Government would issue instructions to the officers concerned to see that the rule was properly enforced.

No. 13.—Framing of rules for the grant of remission of land revenue on wet lands under tanks.

Mr. Bhupalam NANJUNDIAH, Hosadurga Taluk.

Mr. Bhupalam NANJUNDIAH represented that at present, full land revenue was being recovered without the grant of remission of half wet assessment on lands under many tanks, on which, on account of want of water, neither wet crops nor even dry crops could be raised. He prayed that standing orders of Government might be issued authorising the grant of remission of half the wet assessment on the basis of the Pahani accounts in case crops could not be raised owing to insufficiency of water in the tanks.

The PRESIDENT replied that the existing orders of Government provided for giving adequate relief in all deserving cases.

No. 14.—Remission of *bagayet* assessment.

Messrs. S. SORAPPA, Sira Taluk; **SHEIK MOHADEEN SAHEB,** Sira Municipality, and the **MEMBERS OF THE GUBBI TALUK.**

Mr. S. SORAPPA represented that owing to scanty rainfall, garden lands in the State had become parched up. Government had recently ordered that wet rate of assessment be levied on those lands. But no remission was given in respect of the lands though the estimated yield of crop owing to failure of rains was less than four annas. He prayed that remission in respect of those lands be given as in the case of other wet lands.

Mr. K. P. CHANNABASAVIAH said that as the Government had ordered that wet rate of assessment might be levied on certain *bagayet* lands which had dried up, it stood to reason that the cess levied should be on the wet assessment and not at the *bagayet* rate.

The PRESIDENT replied that the question of cess was altogether a different matter and had nothing to do

with the representation under discussion. So far as the main representation was concerned, he said that the existing rules on the subject were quite equitable and did not require any modification.

No. 15.—Remission of land revenue in places of distress due to scanty rainfall.

Messrs. A. G. MUDDURACHAPPA, Bowringpet Municipality ; and B. SRINIVASA RAO, Bowringpet Taluk.

Mr. A. G. MUDDURACHAPPA prayed that as rains had failed and there were signs of distress, remission of land revenue be granted in places where there was scarcity of rainfall and failure of crops.

Mr. B. SRINIVASA RAO said that in some places tanks had not received adequate supply of water and there was no likelihood of any crop being raised on the lands under them. Already the raiyats were in arrear of the previous year's assessment and they would find it difficult to pay the current year's assessment. He therefore thought it very necessary that some relief should be shown to them by way of suspension of collection of revenue.

Mr. H. KRISHNAMURTHY ACHAR also represented that remission be granted where the yield of crop was less than 4 annas.

Mr. L. VEMA REDDY said that in many parts of the Kolar District, though ragi had been sown, there was no chance of full crop being raised unless there was rainfall in the near future. If unfortunately rains failed, the raiyats would be put to great hardship. He therefore requested that just as in the case of wet crops, remission be granted in the case of dry crops also. Such a concession, he said, had not been shown by Government at any time in the past.

The PRESIDENT refuted that statement and said that concessions had been granted in the past.

Mr. L. VEMA REDDY said that he was not personally aware of the grant of any such concessions ever since he became a member of the Assembly. Some concession was called for at the present moment taking into consideration that the rates of assessment in Kolar District were very much higher than those in the adjoining British territories.

The PRESIDENT replied that during the previous 3 or 4 years remissions had been given in the Kolar District and that the existing rules provided for adequate relief in deserving cases.

No. 16.—Grant of concession to raiyats.

Mr. GURUBASAPPA, Chamarajanagar Taluk.

Mr. GURUBASAPPA represented that there were no irrigation facilities in the Chamarajanagar Taluk and that the raiyats in many villages were put to considerable loss. The staple jola crop had suffered owing to want of timely rains and ragi also had yet to be sown for want of rain. He prayed that concessions be shown in respect of those villages by way of extending the time for the payment of kandayam and granting remissions on a liberal scale.

Mr. K. VEERANNA said that the representation had been brought up with a view to impress upon the Government the need for the grant of remissions in respect of dry lands in the taluk, as there was neither ragi nor jola crop in the area. In Santhemarahalli, for instance, there was not even an anna crop. People had to pay assessment by selling away their personal belongings.

The PRESIDENT said that the question would be examined.

No. 17.—Giving certain concessions in respect of levy of assessment on wet lands below Harogere Tank, Sira Taluk.

Messrs. K. P. CHANNABASAVIAH and S. SORAPPA, Sira Taluk ; and SHEIK MOHADEEN SAHEB, Sira Municipality.

Mr. K. P. CHANNABASAVIAH stated that the question of ensuring water supply in Harogere Tank, Sira Taluk, had been investigated and proposals sent up by the Public Works Department some 4 or 5 years ago to the Revenue Department, suggesting that arrangements be made to bring the *kodi halla* water of Badamaranahalli Tank to the Harogere Tank and to reduce the wet *atchkat* under the latter tank. The above proposal had not yet

been sanctioned and given effect to. Pending final disposal of the question, he prayed for the levy of *banjar kandayam* and for the grant of remission equal to the difference in assessment calculated at the wet and the dry *bagayet* rates on lands irrigated by tank and well water.

The PRESIDENT replied that the question had been investigated by the Engineering Department and their decision in the matter also communicated to the member. As such no object would be served by discussing it once again in the House.

No. 18.—Creation of irrigation facilities in Gundlupet Taluk.

Messrs. K. C. SUBBANNA, Chamarajanagar Taluk ; and **BASAPPA,** Gundlupet Taluk.

Mr. K. C. SUBBANNA prayed that irrigation facilities be provided as early as possible in the Gundlupet Taluk where there are no facilities at present. In this connection, he suggested the construction of an *anicut* across Molehole and undertaking repairs of a major tank in the taluk.

The PRESIDENT replied that the suggestion would be considered.

No. 19.—Waiving of interest on overdue instalment of contribution amount.

Mr. Patel SIDDE GOWDA, T-Narsipur Taluk.

Mr. Patel SIDDE GOWDA represented that the instalments of contribution amount fixed on lands under *nalas* had fallen into arrear already on account of the present economic depression and would continue to be so for various causes. The rate of contribution itself was as high as Rs. 180 under certain *nalas* and it had become very difficult for the landholders to pay the balance of the amount due. On this account, the levy of interest on overdue instalments was working as a great hardship on the raiyats. He therefore prayed that in the interests of the poor raiyats and in view of the economic depression, levy of interest on overdue amounts be kindly ordered to be waived.

Mr. H. HOMBE GOWDA said that the contribution under the Kagebora *nala*, from which water was not being given on two days in the week and under which the lands were second-rate ones, was as high as Rs. 150 as against Rs. 80 in the Irwin Cannal area and under the Bannur Tank under which the lands were very fertile. Also, no interest was levied on overdue instalments in the Irwin Cannal area. The raiyats under the Kagebora *nala* were already feeling it difficult to pay dry assessment, water-rate and contribution, and the Government would, by forcing them to pay interest on overdue instalments in addition, be taking the life out of the raiyats. For these reasons, he prayed that the interest be waived.

The CHIEF SECRETARY to GOVERNMENT (Mr. B. T. Kesavaiengar) said that interest would be levied not on all instalments but only on overdue instalments and that too at a reduced rate. There was nothing wrong in such a procedure. It was obligatory on the part of persons to pay punctually the arrears due to Government and, failing that, to pay interest on overdue amounts. In fact the levy of interest on overdue instalments of contribution was necessary in the interests of punctual recovery of arrears due, and under the *mutchalikas* executed by them, the amount was recoverable as a land revenue arrear. The question whether under the Irwin Canal area or in any other channel area, the procedure adopted was the same in respect of recovery of contribution was altogether different. As a result of allowing payment of the contribution amount in instalments, Government were already incurring a loss by way of interest. They could not incur any further loss by waiving the interest on overdue instalments. For these reasons, it would not be possible for the Government to accede to the request of the members.

The Assembly rose for the day at 11-45 a.m. to meet again at 12 of the clock the following day.

FOURTH DAY.

Thursday, 29th October 1936.

The House reassembled at the Jagan Mohan Palace Pavilion on Thursday,

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